

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE, N. W.

P.O. BOX 7566

WASHINGTON, D.C. 20044-7566

(202) 662-6000

FACSIMILE: (202) 662-6291

GERARD J. WALDRON

DIRECT DIAL NUMBER

(202) 662-5360

DIRECT FACSIMILE NUMBER

(202) 778-5360

GWALDRON@COV.COM

BUCKET FILE COPY ORIGINAL

LECONFIELD HOUSE

CURZON STREET

LONDON W1Y 8AS

ENGLAND

TELEPHONE: 44-171-495-5655

FACSIMILE: 44-171-495-3101

BRUSSELS CORRESPONDENT OFFICE

44 AVENUE DES ARTS

BRUSSELS 1040 BELGIUM

TELEPHONE: 32-2-549-5230

FACSIMILE: 32-2-502-1598

EX PARTE OR LATE FILED

June 2, 1998

BY HAND

Ms. Magalie R. Salas

Secretary

Federal Communications Commission

1919 M Street, N.W.

Washington, D.C. 20554

RECEIVED

JUN 3 - 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: *Ex Parte* Presentation in WT Docket No. 96-198/Implementation of Section 255 of the Telecommunications Act of 1996; CC Docket No. 98-11, Bell Atlantic Petition for Relief from Barriers to Deployment of Advanced Telecommunications Services; CC Docket No. 98-32, Ameritech Petition for Relief from Barriers to Deployment of Advanced Telecommunications Services; CC Docket No. 98-78, Association for Local Telecommunications Services Petition for Declaratory Ruling Regarding Section 706.

Dear Ms. Salas:

This letter is to inform you that representatives from the Business Software Alliance (including Robert Holleyman and Linda Bloss-Baum with BSA, Marc Berejka with Microsoft, Grace Hinchman with DEC, Jeff Campbell with Compaq, and the undersigned) met today with Commissioner Powell and his legal assistants, Peter Tenhula and Paul Jackson, to discuss the need for greater bandwidth to permit development and deployment of advanced software and hardware devices. BSA and its member companies stressed that the best way to promote investment in a broadband network is to promote competition to incumbent local exchange carriers. In addition, BSA stated that collocation is important to many Internal Service Providers and other providers of information services and that the Commission should adopt rules permitting "cageless collocation," since that will promote efficient use of the public switched network and allow advanced services to be deployed and delivered quickly to consumers. BSA also urged the Commission to examine closely the issues raised by the pending Section 706 petitions.

No. of Copies rec'd
List A B C D E

047

Ms. Magalie R. Salas
June 2, 1998
Page Two

BSA also urged the Commission to proceed cautiously in crafting guidelines under Sections 255 for access to telecommunications equipment and services. BSA member companies have used their substantial research and development resources to bring to market products and services that benefit disabled persons. In addition, BSA member companies have developed hardware and software that is specifically designed to facilitate the use of special devices by disabled persons. BSA stated that the Commission should issue guidelines on access and not rules because that is all that Congress authorized. BSA also expressed support for the tentative conclusion that Section 255 does not encompass such services as electronic mail. Finally, BSA urged the Commission to not inadvertently advantage one element of the computer industry by imposing different "financial ability" requirements on various sectors; instead, the Commission should adopt a uniform method of analyzing the financial capability of companies to adopt special devices.

If you have any questions, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerard J. Waldron". The signature is fluid and cursive, with the first name "Gerard" and last name "Waldron" clearly distinguishable.

Gerard J. Waldron

cc: Commissioner Powell
Peter Tenhula, Esq.
Paul Jackson, Esq.

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE, N. W.

P.O. BOX 7566

WASHINGTON, D.C. 20044-7566

(202) 662-6000

FACSIMILE: (202) 662-6291

GERARD J. WALDRON

DIRECT DIAL NUMBER

(202) 662-5360

DIRECT FACSIMILE NUMBER

(202) 778-5360

GWALDRON@COV.COM

DOCKET FILE COPY ORIGINAL

LECONFIELD HOUSE

CURZON STREET

LONDON W1Y 8AS

ENGLAND

TELEPHONE: 44-171-495-5655

FACSIMILE: 44-171-495-3101

BRUSSELS CORRESPONDENT OFFICE

44 AVENUE DES ARTS

BRUSSELS 1040 BELGIUM

TELEPHONE: 32-2-549-5230

FACSIMILE: 32-2-502-1598

EX PARTE OR LATE FILED

June 2, 1998

BY HAND

RECEIVED

JUN 3 - 1998

Ms. Magalie R. Salas

Secretary

Federal Communications Commission

1919 M Street, N.W.

Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Ex Parte Presentation in WT Docket No. 96-198/Implementation of Section 255 of the Telecommunications Act of 1996; CC Docket No. 98-11, Bell Atlantic Petition for Relief from Barriers to Deployment of Advanced Telecommunications Services; CC Docket No. 98-32, Ameritech Petition for Relief from Barriers to Deployment of Advanced Telecommunications Services; CC Docket No. 98-78, Association for Local Telecommunications Services Petition for Declaratory Ruling Regarding Section 706.

Dear Ms. Salas:

This letter is to inform you that representatives from the Business Software Alliance (including Robert Holleyman and Linda Bloss-Baum with BSA, Marc Berejka with Microsoft, Grace Hinchman with DEC, and Jeff Campbell with Compaq) met today with Commissioner Furchtgott-Roth and his legal assistant Paul Misener to discuss the need for greater bandwidth to permit development and deployment of advanced software and hardware devices. BSA and its member companies stressed that the best way to promote investment in a broadband network is to promote competition to incumbent local exchange carriers. In addition, BSA stated that collocation is important to many Internal Service Providers and other providers of information services and that the Commission should adopt rules permitting "cageless collocation," since that will promote efficient use of the public switched network and allow advanced services to be deployed and delivered quickly to consumers. BSA also urged the Commission to examine closely the issues raised by the pending Section 706 petitions.

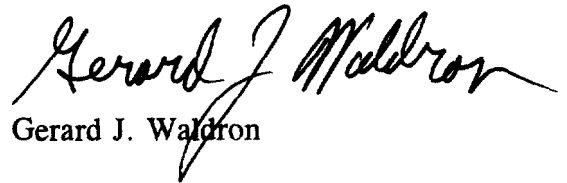
No. of Copies rec'd 0+7
List A B C D E

Ms. Magalie R. Salas
June 2, 1998
Page Two

BSA also urged the Commission to proceed cautiously in crafting guidelines under Sections 255 for access to telecommunications equipment and services. BSA member companies have used their substantial research and development resources to bring to market products and services that benefit disabled persons. In addition, BSA member companies have developed hardware and software that is specifically designed to facilitate the use of special devices by disabled persons. BSA stated that the Commission should issue guidelines on access and not rules because that is all that Congress authorized. BSA also expressed support for the tentative conclusion that Section 255 does not encompass such services as electronic mail. Finally, BSA urged the Commission to not inadvertently advantage one element of the computer industry by imposing different "financial ability" requirements on various sectors; instead, the Commission should adopt a uniform method of analyzing the financial capability of companies to adopt special devices.

If you have any questions, please contact the undersigned.

Sincerely,



Gerard J. Waldron

cc: Commissioner Furchtgott-Roth
Paul Misener, Esq.